REMARKS

Claims 1–8, 11–20, 25–27 and 31–33 are pending in the present application.

Claims 1, 20 and 25 were amended.

Reconsideration of the claims is respectfully requested.

35 U.S.C. § 103 (Obviousness)

Claims 1–8, 11–17, 19–20, 25–27 and 31–32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,963,704 to *Mimura et al* in view of U.S. Patent No. 5,262,875 to *Mincer et al*. Claims 18 and 33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Mimura et al* in view of *Mincer et al* and further in view of U.S. Patent No. 5,642,171 to *Baumgartner et al*. This rejection is respectfully traversed.

In *ex parte* examination of patent applications, the Patent Office bears the burden of establishing a *prima facie* case of obviousness. MPEP § 2142, p. 2100-125 (8th ed. rev. 5 August 2006). Absent such a *prima facie* case, the applicant is under no obligation to produce evidence of nonobviousness. *Id.*

To establish a *prima facie* case of obviousness, three basic criteria must be met: First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or

suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *Id.*

Independent claims 1, 20 and 25 each recite a file reader capable of obtaining any file on a data source and a file navigator enabling selection of a particular file on the data source so that the file reader to obtain a selected file. Such a feature is not found in the cited references. *Mimura et al* discloses a system in which title sets corresponding to up to ten files may be selected:

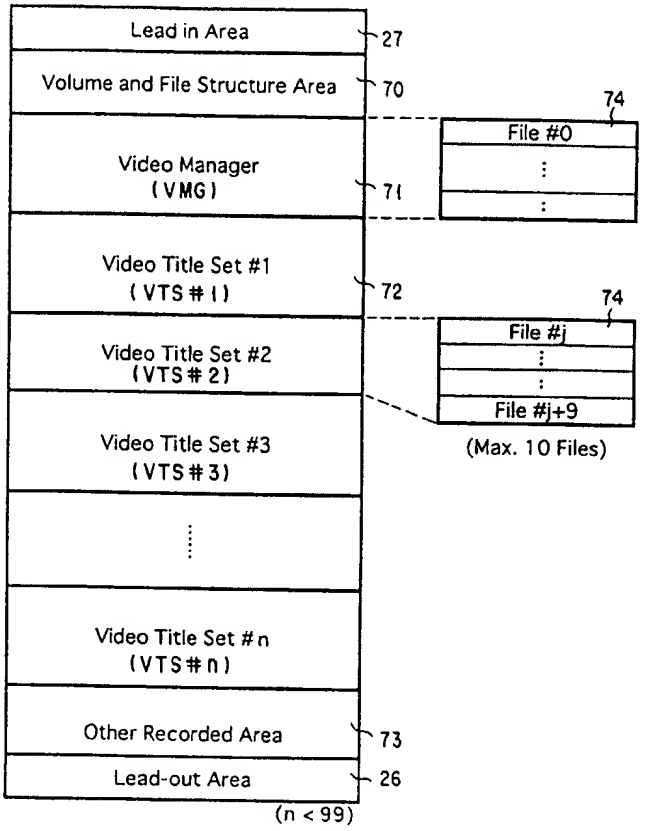

FIG. 6

However, *Mimura et al* does not teach that the individual files themselves may be accessed through a file reader or file system.

Independent claims 1 and 25 also each recite a reprogrammable proxy filter converting component data streams into at least one renderable audio signal and at least two renderable video signals (e.g., sub-picture and video), and adapted to programmably operate on video data coded according to any one of a plurality of video data coding standards and separately on audio data coded according to any one of a plurality of audio data coding standards. Similarly, amended independent claim 20 recites an audio filter adapted to programmably operate on audio data coded according to any one of a plurality of audio data coding standards and a video filter adapted to programmably operate on video data coded according to any one of a plurality of video data coding standards separately of an audio data coding standard currently employed by the audio filter. Proxy filter 328 in the exemplary embodiment is "reprogrammable" to accommodate any combination of any one of MPEG-1, MPEG-2 and MPEG-4 video data with any one of AC-3, MPEG or PCM audio data. Such a feature is not found in the cited references. The cited portion of *Mincer et al* reads:

> This ability may be accomplished by designing playback units 41, 42 . . . 4n to programmably decompress digital audio/video program information previously compressed in accordance with any of a number of compression techniques. . . . . Each of the playback units 41, 42 . . . 4n comprises a controller 110, a buffer 120, a bus 130, a CPU 140, a decompressor 150, and a DAC 160. Compressed digital audio/video program information is received by a selected one of the playback units 41, 42 . . . 4n via digital input 170. Uncompressed real-time digital audio/video program information is provided on output line 180. The same digital audio/video program information may be routed to DAC 160 for digital-to-analog conversion

> controlled by CPU 140. The resultant analog audio/video program information is provided on output line 190.
>
> Compressed digital audio/video program information is received by controller 110 at digital input 170. Controller 110 controls, communicates with, and receives data from storage unit 15 of FIG. 1. Controller 110 may comprise, for example, any of a number of commercially available SCSI controller chips, to receive digital audio/video program information at a high sustained data transfer rate from storage unit 15 of FIG. 1. This information is transferred to a buffer 120 that may comprise commercially available DRAM, for storage. As explained above, storage of information in buffer 120 is necessary to accommodate the difference in data transmission speeds between storage unit 15, which preferably operates at a data transfer rate higher than the required real-time digital bit rate and the real-time digital bit rate of the selected one of playback units 41, 42 . . . 4n. In this manner, buffer 120 is filled at the higher data transfer rate under software control by CPU 140 in cooperation with controller 110. Alternatively, the data transfer rate from storage unit 15 of FIG. 1 and the playback rate of a selected one of the playback units 41, 42 . . . 4n may be the same, in which case buffer 120 may not be required. In the event buffer 120 is utilized, real-time digital playback may be invoked by CPU 10 at any time following storage of a minimum amount of program information in buffer 120. The playback operation involves CPU control of decompressor 150, which decompresses the stored digital audio/video program information using the same algorithm chosen to initially compress the audio/video program information. As stated above, this algorithm may be selectable using programmable decompression chips such as the Vision Processor marketed by Integrated Information Technology, Inc. of Santa Clara, Calif.

Mincer et al, column 5, lines 34–37, column 6, lines 14–60. Thus *Mincer et al* teaches decoding audio and video data BOTH encoded according to the SAME one of a number of different data coding standards, but does not suggest a mechanism that may decode audio data encoded according to one standard (e.g., AC-3) and video data encoded according to a different standard (e.g., MPEG-4).

Therefore, the rejection of claims 1–8, 11–20, 25–27 and 31–33 under 35 U.S.C. § 103 has been overcome.

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at ***dvenglarik@munckbutrus.com***.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

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